

REMARKS

Claims 1-5 and 7-30 are pending in this application. Claims 1, 14, 18, 27 and 29 are independent. Claim 6 has been canceled without prejudice or disclaimer to the subject matter included therein. In light of the amendments and remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

By this amendment, Applicants have amended the claims to more appropriately recite the present invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejections.

In the outstanding Official Action, the Examiner rejected claims 1-26 and 29-30 under 35 U.S.C. §101; rejected claims 1-2, 4, 6-7, 9-10, 13, 18, 20, 22-24, and 26-30 under 35 U.S.C. §102(a) as being anticipated by "Color Consistency and Adobe Creative Suite," White Paper by Adobe Systems Inc., October, 2003 (hereinafter "Color Consistency"; and rejected claims 3, 5, 8, 11-12, 14-17, 19, 21 and 25 under 35 U.S.C. §103(a) as being unpatentable over Color Consistency in view of "GIMP User's Manual" by Karin Kylander et al., Coriolis Group, 1998. Applicant respectfully traverses these rejections.

Preliminary Comments

This Amendment is being filed concurrently with a Request for Interview. The Examiner is respectfully requested to contact the undersigned to schedule and conduct an Interview prior to any formal consideration on the record of the amendments and remarks made herein.

Claim Rejections – 35 U.S.C. §101

The Examiner rejected claims 1-26 and 29-30 under 35 U.S.C. §101 asserting they are directed to non-statutory subject matter as they do not recite computing functionality. By this amendment, Applicant has amended the claims to recite either a method, performed by a

computing device, or a computing system. Based on these amendments, it is respectfully requested that the outstanding rejection be withdrawn.

Claim Rejections – 35 U.S.C. §102

In support of the Examiner's rejection of claim 1, the Examiner asserts that Color Consistency discloses all of the claim elements, including receiving a request to add and/or delete a gamut mapping algorithm parameter element; and defining a modified gamut mapping algorithm parameter element responsive to said request, citing to page 16. Applicant respectfully disagrees with the Examiner's characterization of this reference.

The disclosure of Color Consistency is directed to enabling consistent color across applications by providing for color management. Color Consistency discloses using profiles that are data files that record the relationship between RGB or CYMK numbers and the color we actually see. Profiles built for a specific device are generally referred to as custom profiles (page 3.)

Color Consistency further discloses soft proofing wherein editing may occur while viewing a live simulation of final the final output. **Proof Colors shows the result of the conversion to the CYMK working space profile by using the default rendering intent set in Color Settings.** The Custom command allows the user to override the default behavior of Proof Colors. (Page 16) However, the profiles defined in Color Consistency are merely pre-set mappings that are associated with particular devices.

In contrast, the invention of claim 1, as amended, recites receiving a request to add and/or delete a gamut mapping algorithm parameter element; defining a modified gamut mapping algorithm parameter element responsive to said request; receiving a request to adjust the modified gamut mapping algorithm parameter element; and adjusting a color management operation for processing an input image in response to said request to adjust. Color Consistency merely discloses enabling a user to employ a pre-set mapping. There is no disclosure that is

directed to adjusting the modified gamut mapping algorithm parameter element based on a received request.

As Color Consistency fails to teach or suggest all of the claim elements, it is respectfully submitted that claim 1 is patentable over the reference as cited. It is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 2-5 and 6-13 are allowable for the reasons set forth above with regard to claim 1 at least based on their dependency on claim 1. It is respectfully submitted that claims 14, 18, 27 and 29 include elements similar to those discussed above with regard to claim 1 and thus these claims, together with claims dependent thereon, are allowable for the reasons set forth above with regard to claim 1.

Conclusion

In view of the above, it is believed that claims are allowable.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet, Reg. No. 52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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